

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11cr257**

**UNITED STATES OF AMERICA,**

**Vs.**

**LEONEL LABRADA.**

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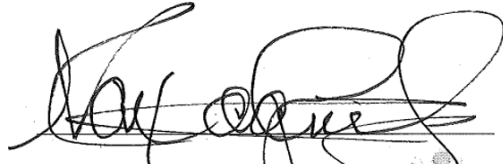
**ORDER  
Fifth Continuance**

**THIS MATTER** is before the court on defendant's fifth Motion to Continue Trial Date. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that defendant's Motion to Continue Trial Date (#40) is **GRANTED**, and the court finds the delay caused by such continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(A), based on a finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. Specifically, the court finds that on April 20, 2012, defendant was arraigned on the Second Superseding Bill of Indictment, which added additional charges and an additional defendant. The court finds that the interests of justice require continuance as the additional charges impact the preparation of a defense and tactical decisions as to the charges, as defendant needs additional time to review additional discovery. See United States v. Alford, 142 F.3d 825, 829 (5<sup>th</sup> Cir. 1998).

Signed: April 24, 2012



Max O. Cogburn Jr.  
United States District Judge